

CHAPTER NO. 569

SENATE BILL NO. 2978

By Ramsey

Substituted for: House Bill No. 2648

By Godsey, Westmoreland, Mumpower

AN ACT To amend Tennessee Code Annotated, Section 40-7-121, relative to body cavity searches.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-7-121, is amended by adding a new subsection thereto, as follows:

(h) No physician, registered nurse, or licensed practical nurse, acting at the written request of a law enforcement officer with a search warrant or written waiver or consent to perform a body cavity search, shall incur any civil or criminal liability as a result of the search or examination, except for any damages or criminal liability that may result from the negligence, gross negligence, willful misconduct or unlawful conduct of the person conducting such examination or search. Neither the hospital nor other employer of the previously listed health care professionals, acting at the written request of a law enforcement officer with a search warrant or written waiver or consent to perform a body cavity search, shall incur any civil or criminal liability, except for negligence, gross negligence, willful misconduct or unlawful conduct, as a result of the act of examination or search.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 27, 2002



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 3rd day of April 2002



DON SUNDQUIST, GOVERNOR